

# Senate File 169 - Introduced

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SF 72)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act providing for county eligibility for state payment of  
2 certain mental health, mental retardation, and developmental  
3 disabilities services funding and providing effective and  
4 retroactive applicability dates.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

6 TLSB 1598SV 82

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1 1 Section 1. SERVICES FUND TRANSFER == ALLOWED GROWTH

1 2 PAYMENT.

1 3 1. For the purposes of this section, "services fund" means  
1 4 a county's mental health, mental retardation, and  
1 5 developmental disabilities services fund created under section  
1 6 331.424A.

1 7 2. If a county failed to levy the maximum dollar amount  
1 8 allowed for the county's services fund for the fiscal year  
1 9 beginning July 1, 2006, the county shall qualify for the per  
1 10 capita expenditure target pool allowed growth payment under  
1 11 section 426B.5, subsection 1, made in that fiscal year  
1 12 provided all of the following conditions are met:

1 13 a. The county has a population of more than 10,600 but  
1 14 less than 11,700, according to the 2005 population estimate  
1 15 issued by the federal government.

1 16 b. On the enactment date of this Act, the county has an  
1 17 unobligated or unencumbered balance in the undesignated  
1 18 portion of the general fund of the county under section  
1 19 331.427 in an amount at least equal to the difference between  
1 20 the actual dollar amount the county levied for the county's  
1 21 services fund for the fiscal year and the maximum dollar  
1 22 amount allowed to be levied for the county's services fund for  
1 23 the fiscal year.

1 24 c. The county makes a one-time permanent transfer from the  
1 25 general fund of the county to the county's services fund in  
1 26 the amount identified under paragraph "a". The county is  
1 27 authorized to make the transfer described in this paragraph  
1 28 notwithstanding section 331.424A or any other provision of law  
1 29 to the contrary.

1 30 d. The county auditor certifies to the department of human  
1 31 services that the one-time permanent transfer from the general  
1 32 fund of the county has been made in the specified amount to  
1 33 the county's services fund and that the conditions of this  
1 34 subsection have been met.

1 35 3. Upon receiving the certification required under  
2 1 subsection 2, the county shall be deemed to have met the  
2 2 requirement under section 426B.5, subsection 1, paragraph "c",  
2 3 subparagraph (1), to be levying the maximum amount allowed for  
2 4 the county's services fund for the fiscal year beginning July  
2 5 1, 2006, and the department of human services shall authorize  
2 6 adjustment of the allowed growth payment to the county  
2 7 accordingly, subject to any other adjustments required under  
2 8 2005 Iowa Acts, chapter 179, section 1, as amended by 2006  
2 9 Iowa Acts, chapter 1184, section 73.

2 10 Sec. 2. STATE PAYMENT TO ELIGIBLE COUNTIES.

2 11 Notwithstanding section 331.439, subsection 1, paragraph "a",  
2 12 a county that accurately reported the county's expenditures  
2 13 for mental health, mental retardation, and developmental  
2 14 disabilities services for the previous fiscal year on the  
2 15 forms prescribed by the department of human services, and the  
2 16 report was received after December 1, 2006, and on or before

2 17 March 15, 2007, shall be eligible for state payment, as  
2 18 defined in section 331.438, in accordance with section 331.439  
2 19 and other law providing for the state payment in the fiscal  
2 20 year beginning July 1, 2006.

2 21 Sec. 3. EFFECTIVE DATE. This Act, being deemed of  
2 22 immediate importance, takes effect upon enactment and applies  
2 23 retroactively to July 1, 2006.

2 24 EXPLANATION

2 25 This bill provides for county eligibility for state payment  
2 26 of certain mental health, mental retardation, and  
2 27 developmental disabilities services (MH/MR/DD) allowed growth  
2 28 and property tax relief funding.

2 29 One section of the bill addresses county eligibility for an  
2 30 allowed growth payment. The eligibility provisions for a  
2 31 county to qualify for allowed growth payment from the per  
2 32 capita expenditure pool for a fiscal year requires a county to  
2 33 be levying for that year the maximum amount allowed for the  
2 34 county's MH/MR/DD services fund. The bill provides a set of  
2 35 conditions that can be applied by a county that failed to meet  
3 1 the maximum levy requirement for fiscal year 2006=2007 in  
3 2 order to be deemed to have met the requirement for that fiscal  
3 3 year.

3 4 The conditions require the county to have in the  
3 5 undesignated portion of the county general fund on the bill's  
3 6 enactment date an unexpended and unobligated amount at least  
3 7 equal to the difference between the dollar amount of the  
3 8 services fund maximum levy and the services fund actual levy  
3 9 for the fiscal year. The county must permanently transfer  
3 10 that amount from the county's general fund to the county's  
3 11 services fund. The county must have a population between  
3 12 10,600 and 11,700, according to the 2005 population estimate  
3 13 issued by the federal government. Finally, the county auditor  
3 14 must certify to the department of human services that the  
3 15 transfer was made.

3 16 Upon receiving the required certification, the county is  
3 17 deemed to have met the maximum levy requirement for funding  
3 18 from the per capita expenditure pool and the department is  
3 19 required to adjust the county's allowed growth payment  
3 20 accordingly. Any other adjustments to the county's allowed  
3 21 growth payment required under session law enacted in 2005 and  
3 22 2006 remain applicable. These requirements provide for  
3 23 withholding certain portions of a county's MH/MR/DD allowed  
3 24 growth payments depending upon the relative size of the  
3 25 county's services fund ending balance at the close of the  
3 26 preceding fiscal year.

3 27 The other section of the bill provides for county  
3 28 eligibility for state payment of both MH/MR/DD property tax  
3 29 relief moneys and allowed growth funding.

3 30 Under current law, in order to be eligible to receive the  
3 31 funding, a county must accurately report the county's  
3 32 expenditures for such services for the previous fiscal year on  
3 33 the forms prescribed by the department of human services by  
3 34 December 1. The bill provides that a county is also eligible  
3 35 if the report was received after December 1, 2006, and on or

4 1 before March 15, 2007.

4 2 The bill takes effect upon enactment and is retroactively  
4 3 applicable to July 1, 2006.

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